

COMMISSION MEETING MINUTES
June 7, 2016

The Board of Davis County Commissioners met on June 7, 2016 at 10 am in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Members present were: Commissioner John Petroff, Jr. - Chair, Commissioner P. Bret Millburn, Clerk/Auditor Curtis Koch, Deputy Civil County Attorney Michael Kendall, and Deputy Clerk/Auditor Janet Hanson.

Agenda as posted

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OPENING

Pledge of Allegiance – By Invitation

RECOGNITIONS, PRESENTATIONS AND INFORMATIONAL ITEMS

BUSINESS/ACTION

Shawn Beus, Davis County Community & Economic Development Manager, presenting:

Resolution approving and adopting the Interlocal Agreement between Davis County and the Redevelopment Agency of Layton City granting consent to the Agency to receive tax increment for the Layton Antelope

Drive Community Development Project Area (n/a)

Interlocal Agreement between Davis County and the Redevelopment Agency of Layton City granting consent to the Agency to receive tax increment for the Layton Antelope Drive Community Development Project Area (n/a)

Dustin Volk, Davis County Valley View Golf Professional, presenting:

Agreement with JNL Plus Café – concessions at Valley View Golf Course (receivable)

Mike Moake, Davis County Legacy Events Center Marketing, presenting:

Agreement with Shelly Ambriz – rental of space for quinceanera party (receivable)

Summary list of rental agreements at the Legacy Events Center (receivables)

Brooks Burr, Davis County Fair Coordinator, presenting:

Agreement with MediaNews Group Inc. / Utah Digital Services – digital advertising through the Salt Lake Tribune for the 2016 Davis County Fair (in-kind)

Barry Burton, Davis County Community & Economic Development Director, presenting:

Agreement with Utah Communications Authority (UCA) – site lease of communications tower at the Davis County Justice Center in Farmington (receivable)

Tony Zambrana, Davis County Grants Auditor, presenting:

Amendment with Utah Dept. of Human Services – FY2017 Social Service Block Grant funding, contract period extension and associated certification requirements (receivable/match)

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presenting:

Lease agreement with Horsepower Fleet Rental – one-year lease of 2017 Chevy Tahoe (payable)

Agreement with Utah Department of Corrections – provide dispatch services for Adult Probation and Parole (receivable)

BOARD OF EQUALIZATION

Request approval of the Property Tax Register

CONSENT ITEMS

Meeting Minutes: May 17, 2016
Check Registers

COMMISSIONER COMMENTS

PUBLIC COMMENTS (3 Minutes per Person)

Boy Scout Braden Hearne, West Point City, was invited to lead the Pledge of Allegiance. All in attendance were invited to stand and join in.

Commissioner Smith & Neal Geddes excused

Commissioner Smith and Neal Geddes were excused. Michael Kendall, Deputy County Attorney, was in attendance and welcomed.

Resolution #2016-207 approving and adopting the Interlocal agreement

Shawn Beus, Davis County Community& Economic Development Manager, presented the following:
Resolution #2016-207 approving and adopting the Interlocal Agreement between Davis County and

the Redevelopment Agency of Layton City granting consent to the Agency to receive tax increment for the Layton Antelope Drive Community Development Project Area; and

Interlocal Agreement #2016-207 between Davis County and the Redevelopment Agency of Layton City granting consent to the Agency to receive tax increment for the Layton Antelope Drive Community Development Project.

Shawn pointed out that there is a significant economic impact with this CDA and as Economic Development Manager he is in full support and recommended approval of the resolution and interlocal agreement. He thinks it is a fantastic opportunity to grow this area and is impressed with Layton City’s organization, efforts and support for the developments they have put into. He indicated it is a high level of economic development and said “it has been a privilege to work with and support them.”

Shawn introduced Bill Wright, Layton City Community & Economic Development Director. Bill Wright introduced in the audience: Layton Mayor Bob Stevenson, Alex Jensen – Layton City Manager, Kent Anderson – Economic Development Manager, Mr. Scott Hymas – CEO of RC Willy Home Furnishing Company and Steve Bowler – Executive Vice-President of Caldwell Banker Commercial.

Bill explained that Layton City has been working with the current property owners and with RC Willey Home Furnishings in partnership to provide for a new regional flagship RC Willey store for Davis County and northern Utah. In this process they have consulted with Susie Becker, Zions Public Finance. Susie works with communities in creating RDA plans and CDA plans. She has consulted with Layton City in the Antelope Drive CDA project area plan and budget.

Bill Wright indicated that Layton City is here today to request approval of the above mentioned resolution and interlocal agreement. The Interlocal agreement will grant consent to the agency to receive tax increment for the Layton Antelope Drive CDA. He provided a PowerPoint presentation for an overview of their request which showed:

- 1. Project area map – 9.53 acres; located east of I-15 and north of the Antelope Drive interchange. They have improved the property by creating an access road. Assembled/purchased 1.01 acres from Utah Department of Transportation.
- 2. The new RC Willey flagship store would have 144,000 square feet on 2 levels servicing residents of Davis County, Northern Utah, Idaho and Wyoming.
- 3. Encourages additional development to the Legend Hills properties to the north (Clearfield City).
- 4. The next step is the creation of the CDA and for resolutions and interlocal agreements to be entered into between the taxing entities and Layton City Redevelopment Agency.

The request of the taxing entities is that they would participate for 15 years at the level of 50% of the increment that is generated by this new development. Layton City’s participation will be higher at 85% for 15 years. It is consistent with Davis County’s policy matrix for a retail user. Bill indicated that they will be dealing with the Davis County Library in regards to their participation in future weeks to come.

The following slides show the current tax revenues generated and the proposed incremental taxes to the agency property is currently (property is in greenbelt classification). :

Base Year Tax Revenues Remain Unchanged		
Tax District 039	Current Annual Revenues	Total Base Revenues Years 1-15
Davis County	\$ 176	\$ 2,640
Davis School District	\$ 698	\$ 10,470
Layton City	\$ 157	\$ 2,355
Weber Basin Water Conservancy District	\$ 16	\$ 240
Davis County Mosquito Abatement District	\$ 10	\$ 150
North Davis Sewer District	\$ 84	\$ 1,260
County Library	\$ 29	\$ 435
TOTAL	\$ 1,170	\$ 17,550

Incremental taxes:

Incremental Taxes to Taxing Entities			
Incremental Taxes to Taxing Entities	Percent to Entities	Annually	Total Years 1-15
Davis County	50%	\$ 16,236	\$ 243,540
Davis School District	50%	\$ 64,515	\$ 967,725
Layton City	15%	\$ 4,362	\$ 65,430
Weber Basin Water Conservancy District	50%	\$ 1,478	\$ 22,170
Davis County Mosquito Abatement District	50%	\$ 920	\$ 13,800
North Davis Sewer District	50%	\$ 7,730	\$ 115,950
County Library	50%	\$ 2,722	\$ 40,830
TOTAL		\$ 97,963	\$ 1,469,445

The amount Layton City is asking for approval through the resolution and interlocal agreement to send to the Layton Redevelopment Agency as an investment, “an investment in the future.” There is a “cap” of \$1,774,770.00 (Davis County \$243,540.00 & Library \$40,830.00). If the “cap” is met prior to the 15 years the CDA will “sunset” and all the entities will receive the full amount of taxes being generated:

Incremental Taxes to Agency			
Incremental Taxes to Agency	Percent to Agency	Annually	Total Years 1-15
Davis County	50%	\$ 16,236	\$ 243,540
Davis School District	50%	\$ 64,515	\$ 967,725
Layton City	85%	\$ 24,717	\$ 370,755
Weber Basin Water Conservancy District	50%	\$ 1,478	\$ 22,170
Davis County Mosquito Abatement District	50%	\$ 920	\$ 13,800
North Davis Sewer District	50%	\$ 7,730	\$ 115,950
County Library	50%	\$ 2,722	\$ 40,830
TOTAL		\$ 118,318	\$ 1,774,770

Expenditures will be used for tenant attraction which is part of the partnership with RC Willey and is an intergal part of their decision-making process and administration costs:

Projected Expenditures	
Project	Estimated Cost
Tenant Attraction	\$ 1,705,500
Administration (4%)	\$ 70,000
TOTAL ESTIMATED COST (not adjusted for inflation):	\$ 1,775,500
Cap on the projected expenditures = \$1,775,500	

Benefits to taxing entities (return on investment):

Summary of Benefits to Taxing Entities			
Summary of Incremental Taxes to Taxing Entities	Total Incremental (Years 1-15)	Base Year Annual Revenues	Annual Revenues after Project Concludes
Davis County	\$ 243,541	\$ 176	\$ 32,648
Davis School District	\$ 967,718	\$ 698	\$ 129,727
Layton City	\$ 65,430	\$ 157	\$ 29,236
Weber Basin Water Conservancy District	\$ 22,171	\$ 16	\$ 2,972
Davis County Mosquito Abatement District	\$ 13,800	\$ 10	\$ 1,850
North Davis Sewer District	\$ 115,945	\$ 84	\$ 15,543
County Library	\$ 40,835	\$ 29	\$ 5,474
TOTAL	\$ 1,469,445	\$ 1,170	\$ 217,450
Annual revenues after project concludes represents a \$216,280 increase in current annual revenue.			

Bill Wright concluded by asking for the Commissions’ support by adopting the resolution and Interlocal agreement.

Commissioner Millburn said the presentation was outlined well and was very thorough. He recognized RC Willey and their long standing history of being in Davis County. Historically, RC Willey

began in Davis County in Syracuse City. He recognized Brigham Mellor from Syracuse City in the audience. He felt he understood their interest in moving and expanding their business, which may be a loss to one city, but in the broader sense, a gain to the county as a whole. He expressed his appreciation to the RC Willey representatives for the thorough process they have and the vision they have. He appreciates that they continue to look to Davis County to have a presence and a home here. From the financial element to the taxing entities it is a fantastic investment not just from a government entity looking at how much tax can be collected which helps provide the services citizens expect, but also the ability to better our quality of life; to have a resource readily available for our citizens and the trickle down and ripple effect a project of this size has, i.e. development to the north. He emphasized jobs will be retained and created as RC Willey moves from their current site. He felt this was a very well vetted proposal, outlined well and a prudent thing to do at this time.

Commissioner Millburn made a motion to approve the resolution to adopt the Interlocal agreement between Davis County and the Redevelopment Agency of Layton City. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Petroff said when they moved to Utah in the 1980's one of the first places they shopped was RC Willey's. Their salesman was Bob Thurgood, who he thought was an outstanding individual and eventually became the mayor of Syracuse. He felt they are a first class company and it is great to have them in Davis County. Hopefully, this will be a great generator for them to attract more people from the outlying areas due to its proximity to I-15. It is a great opportunity for Davis County to partner and see more quality jobs created.

Commissioner Millburn made a motion to approve the interlocal agreement #2016-207 between Davis County and the Redevelopment Agency of Layton City granting consent to the Agency to receive tax increment for the Layton Antelope Drive Community Development Project as has been presented. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Scott Hymas, CEO of RC Willey Home Furnishing Company, indicated he has been with the company for 29 years. Their roots did start here in Davis County and they have been in business over 80 years. Davis County and especially Syracuse City has been very good to RC Willey. One of the hardest decisions he makes is to understand the change in retail and the dynamics that takes place with real estate, the internet, the taxing of the internet and with different things that go on. They continue to evaluate different areas and different properties. When they make decisions, they are not just making decisions for the next year, but for the next 25 years. They currently do more business outside the State of Utah now than inside the state. They do not own the proposed property yet. This is part of the evaluation process that exists with this parcel and other parcels, inside and outside the county. They look at anything they do with the real estate project of this size, similar to their store in Draper, they view this as a regional pull from Wyoming, Southern Idaho, and South Eastern Idaho. He wanted to clarify that when they look at these decisions they have to look forward to the next 25 years. Syracuse City allowed them to build their company the way they did. If they close on this property they will continue to evaluate that. It is part of their process that has taken place in Utah, to evaluate locations 30 years ago or so may not be locations today. "In the future of retail there will be fewer retail developments, but you better be in the right place." He wanted to clarify their decision was not based on tax increments. This decision is about the success of the store and its associates for the next 25 years.

Commissioner Millburn said it is good for the record that RC Willey is not currently the property

Interlocal
agreement
#2016-207
between Davis
County and the
Redevelopment
Agency of
Layton City for
the Layton
Antelope Drive
Community
Development
Project

Scott Hymas,
CEO of RC
Willy Home
Furnishing Co.'s
comments

owner here but it is one site that, hopefully, will be strongly considered. He reiterated it is not just for the tax increment, but it is the ripple effect as to why we enter into these kinds of agreements. Whether it is for this particular tenant or others. He is grateful that these tools are in place. What is left undeveloped is left for a variety of reasons, i.e. access, utilities, etc. He thinks this is a great opportunity and appreciates the partnership with everyone.

Agreement
#2016-208 JNL
Plus Café at
VVGc

Dustin Volk, Davis County Valley View Golf Course Golf Professional, presented agreement #2016-208 with JNL Plus Café to provide concessions at the golf course. Dustin explained last fall Beech Eats was contracted with to provide concessions services. It had become evident that they were unable to fulfill their obligations and were terminated. Commissioner Petroff indicated that Janette of JNL is an accomplished business woman and has commented that she felt she could draw people to the golf course just to eat. Dustin expressed his appreciation to Layton City for their assistance in expediting the permitting.

Period of contract is June 7, 2016 through December 31, 2017. Receivable contract amount is \$650.00 monthly rent and \$1,000.00 deposit.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-209 Shelly
Ambriz for
quinceanera party

Mike Moake, Davis County Legacy Events Center Marketing, presented the following:

Agreement #2016-209 with Shelly Ambriz for space rental for a quinceanera party.

Period of contract is September 9, 2016. Receivable amount \$2,455.00.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Summary list
#2016-210 of
rentals at LEC

Summary list #2016-210 of small dollar rental agreements (17) at the Legacy Events Center.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-211
MediaNews
Group Inc. –
digital
advertising
through SL
Tribune

Brooks Burr, Davis County Fair Coordinator, presented agreement #2016-211 with MediaNews Group Inc. for Utah Digital Services (under MediaNews umbrella) for digital advertising through the Salt Lake Tribune of the 2016 Davis County Fair. Commissioner Millburn asked if the MediaNews Group was the same or a different group than MediaOne (contracted with previously) which covers both the Deseret News and the Salt Lake Tribune. Commissioner Petroff thought there had been a split in ownership due to the purchase of the Salt Lake Tribune.

Period of contract is June through August 2016. It is an in-trade agreement in exchange for 15 tickets to the demolition derby and 15 tickets to each night of the rodeo.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2016-212 UCA
site lease of the
communications
tower at the
Justice Center

Barry Burton, Davis County Community & Economic Development Director, presented agreement #2016-212 with Utah Communications Authority (UCA) for the site lease of the communications tower and their partial occupancy of a building with their equipment at the Davis County Justice Center in Farmington. He indicated that this was the 3rd and final agreement to settle all the issues revolving around the communications tower by the Sheriff's Office. Barry credited Mike Kendall for working out and resolving all of the issues associated with this communications tower by working with the 2 cell phone companies and UCA. He felt these agreements were much more equitable for the county.

Period of contract is 5 years; 5 additional optional terms of 5 years each. Receivable contract amount is \$1,600.00 per month plus utilities.

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All

	<p>voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p> <p>Tony Zambrana, Davis County Grants Auditor, presented amendment #2012-228H with Utah Department of Human Services for FY2017 Social Services Block Grant (SSBG) funding of \$108,880.00 for distribution to non-profit providers.</p> <p>The amendment changes the contract ending term of 7/01/2016 to 6/30/2017; contract amount from \$445,898.00 to \$554,778.00 (increase of \$108,880.00); and Davis County match requirement from \$111,475.00 to \$138,695.00 (\$27,220.00 for FY17).</p> <p>Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p> <p>Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presented the following:</p> <p>Lease agreement #2016-213 with Horsepower Fleet Rental for a 2017 Chevy Tahoe. Chief Fielding indicated this was an agreement for a future agreement (2017 vehicles have not yet been produced). Commissioner Millburn confirmed that this had been previously tabled for unresolved questions.</p> <p>Period of contract is 12 months or 34,000 miles. Payable contract amount is \$3,500.00.</p> <p>Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p> <p>Agreement #2016-214 with Utah Department of Corrections to provide dispatch services for Adult Probation and Parole. Chief Fielding indicated this would be for agents that work out of the Farmington office.</p> <p>Period of contract is July 1, 2016 through June 30, 20121. Receivable amount is \$23,007.16 annually.</p> <p>Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p> <p>Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Petroff seconded the motion. All voted aye.</p> <p>Curtis Koch presented the Property Tax Register which reflected 2 veteran abatements.</p> <p>Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye.</p> <p>Commissioner Millburn made a motion to reconvene Commission Meeting. Commissioner Petroff seconded the motion. All voted aye.</p> <p>Commissioner Millburn made a motion to approve the Commission Meeting minutes for May 17, 2016. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.</p> <p>Check registers as prepared by the Davis County Clerk/Auditor were approved with a motion by Commissioner Millburn. Commissioner Petroff seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.</p> <p>Commissioner comments:</p> <p>Commissioner Millburn expressed his appreciation for the opportunities and partnerships Davis County has the opportunity to participate in for the betterment of the county and cities. He's amazed at the breadth of things the county is involved in. Every day is new and exciting . . . never a dull moment.</p> <p>Commissioner Millburn gave a special shout-out to Braden (boy scout) for attending today, surmising that he could have been doing more exciting things on a summer morning than come to a commission</p>
Amendment #2012-228H UT Dept of Human Services – FY17 SSGB funding	
Lease agreement #2016-213 Horsepower Fleet Rental	
Agreement #2016-214 UT Dept of Correction to provide dispatch services for AP&P	
BOE	
Property Tax Register approved	
Reconvene	
Commission Meeting minutes approved	
Check registers approved	
Commissioner comments	
Commissioner Millburn's comments	

meeting. “Hats off and congratulations to you for your work and your efforts in your scouting endeavors and wish you the very best on your journey to your Eagle.” He also commended Braden’s younger brother who was well behaved throughout the meeting noting that Braden is a good example to him. Commissioner Petroff confirmed with Braden that he had 3 older brothers who had received their eagles, noting that the family may end up with 6 eagles which is unique.

Michael Kendall’s comments

Michael Kendall spoke in regards to the previous comments made about him and some of the work involved with the communications tower. He said, “It was a project that involved several departments within the county. His office, Civil Division of the Attorney’s Office, was heavily involved with the Sheriff’s Office, the Clerk/Auditor’s Office, Commission, Planning, and Public Works. It was a collaborative effort for more than a year in the making to make the modifications necessary to get to the point that we needed to deal with the loading of the tower as well as insure that in noticing in connection with the safety was accurate along with the modifications made to the agreements in terms of pricing, etc.” He thanked all those departments for their significant efforts. He felt that they accomplished something that is of great benefit to the county.

Curtis Koch’s comments

Curtis Koch noted that today is the day that ballots go out in the mail. “We encourage everyone to vote, to exercise that right and opportunity in this primary process. If they have questions or concerns his office is always happy to chat with them and interact with the public and make sure that they are comfortable with the voting process.”

No public comments

Meeting adjourned.

Clerk/Auditor

Chair